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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,131	05/30/2006	Patrick Cyriel Van De Voorde	NL031380US1	3739

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BRIARCLIFF MANOR, NY 10510

EXAMINER

HOLLWEG, THOMAS A

ART UNIT

PAPER NUMBER

2879

MAIL DATE

DELIVERY MODE

10/29/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/581,131

**Applicant(s)**VAN DE VOORDE, PATRICK  
CYRIEL**Examiner**

Thomas A. Hollweg

**Art Unit**

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Acknowledgment of Amendment***

1. Applicant's Amendment, received July 7, 2008, is acknowledged. No claims are added or canceled. Claims 1-11 are currently pending.
2. Amendment to claim 11 is acknowledged. The objection to claim 11 is withdrawn.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4 and 6-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Colon et al., U.S. Patent No. 6,525,454 B2.
5. With regard to claim 1, in figures 1 and 2, Colon discloses a high-pressure discharge lamp assembly (1) comprising: a discharge lamp (30) and a concave reflector (4, 5) arranged around a longitudinal axis (2), the discharge lamp (30) being closed in a gastight manner and comprising a first end portion (bottom of lamp) and a second (top of lamp) end portion and an ionizable gas filling, and in which a pair of electrodes (29) is arranged, a first current-supply conductor and a second current-supply conductor (26) being connected to the pair of electrodes and issuing to an exterior of the discharge lamp, the first end portion (bottom of lamp) of the discharge lamp (30) extending through an opening (center of reflector neck 5) arranged in a center section of the reflector (4, 5), a conduction member (26) being connected to the second current-supply

conductor (top of lamp) and extending through the opening in the center section of the reflector (neck 5), and the conduction member (26) being connected to a contact member (10) provided on a surface of the reflector (4, 5) facing away from the discharge lamp (30) (best shown in fig. 2) (col. 4, line 46 - col. 5, line 30).

6. With regard to claim 2, in figures 1 and 2, Colon discloses that the reflector (4, 5) is provided with a neck portion (5) arranged around the longitudinal axis (2), the contact member (10) being provided on a surface of the neck portion (5) facing away from the discharge lamp (30) (col. 4, line 46 - col. 5, line 30).

7. With regard to claim 3, in figures 1 and 2, Colon discloses that the contact member (10) is provided as a circular conducting strip around the reflector (4, 5) (col. 4, line 46 - col. 5, line 30).

8. With regard to claim 4, in figures 1 and 2, Colon discloses that a further contact member (11a) is provided on the surface of the reflector (4, 5), the further contact member (11a) being connected to the first (26) current-supply conductor (col. 4, line 46 - col. 5, line 30).

9. With respect to claim 6, in figures 1 and 2, Colon discloses that the neck portion (5) is provided with an opening for passing through the conduction member (26) (col. 4, line 46 - col. 5, line 30).

10. With respect to claim 7, in figures 1 and 2, Colon discloses that the discharge lamp (30) is mounted in a fixation means (22) provided in the neck portion (5) of the reflector (4, 5), the conduction member (26) being guided through the fixation means (22) (col. 4, line 46 - col. 5, line 30).

11. With respect to claim 8, in figures 1 and 2, Colon discloses that the neck portion (5) of the reflector (4, 5) is provided with a substantially rotationally symmetrical lamp cap (40) of an insulating material, the lamp cap (40) being provided with the contact member (10) (col. 4, line 46 - col. 5, line 30).
12. With regard to claim 9, in figures 1 and 2, Colon discloses that the contact member (10) is provided as a circular conducting strip around the lamp cap (40) (col. 4, line 46 - col. 5, line 30).
13. With respect to claim 10, in figures 1 and 2, Colon discloses that the lamp cap (40) is provided with a multiplicity of indents (41) for fixating the contact member (10) (best shown in figure 2) (col. 4, line 46 - col. 5, line 30).
14. With respect to claim 11, in figures 1 and 2, Colon discloses that a further contact member (11a) is provided on the lamp cap (10) on a location where the longitudinal axis (2) intersects the lamp cap (10) (col. 4, line 46 - col. 5, line 30).

***Claim Rejections - 35 USC § 103***

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Colon as applied to claims 1 and 4 above, in view of itself.
17. All of the limitations of claim 5 are disclosed by Colon, as discussed in the rejection of claim 4 above, except Colon does not expressly disclose that the further

contact member is provided as a circular conducting strip around the reflector. One having ordinary skill in the art would understand that when arranging the contact members for the two electrodes in a discharge lamp it is necessary to keep the contact members electrically insulated from one another and to provide for a convenient means of connecting the contact members to a power supply. As long as these two conditions are met, the shape and arrangement of the contact members becomes a matter of design choice.

18. Therefore, at the time of invention, it would have been an obvious design choice for a person having ordinary skill in the art to construct the Colon high-pressure lamp assembly where the further contact member is provided as a circular conducting strip around the reflector, as long as the two contact members are electrically insulated from one another and a convenient means of connecting the contact members to a power supply is provided.

#### ***Response to Arguments***

19. Applicant argues that the prior art of record, Colon (U.S. Pat. 6,525,454) fails to describe, expressly or inherently, a conduction member being connected to the second current-supply conductor and extending through the opening in the center section of the reflector. The basis for this argument is that conduction member 43 or 43a, shown in Colon, figure 2, do not meet this limitation.

20. Colon, figure 2, clearly shows that conductors 43 and 43a are coupled to conductors 26 which are connected to the second current-supply conductor and extend

though the opening in the center section of the reflector, as shown in figure 1. Together, these two conductors meet the claim limitation.

21. Further, applicant argues that Colon fails to describe a contact member provided on a surface of the reflector facing away from the discharge lamp. In figure 1, Colon shows a contact member (11), specifically contact member (11b) (shown in figure 2) provided on the surface of the neck portion (5) of the reflector (4, 5) facing away from the discharge lamp (30). For these reasons, applicant's arguments are not found to be persuasive.

### ***Conclusion***

22. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

23. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Hollweg whose telephone number is (571)

270-1739. The examiner can normally be reached on Monday through Friday 7:30am-5:00pm E.S.T..

25. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/TH/

/NIMESHKUMAR D. PATEL/  
Supervisory Patent Examiner, Art Unit 2879